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11/25/02

FILE NO. A34614 / 070050.1690

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher et al.

Serial No. : 09/515,363 Examiner: Bronwen M. Loeb

Filed : February 29, 2000 Group Art Unit: 1636

For : MELANOMA DIFFERENTIATION ASSOCIATED GENE-5 (mda-5),  
PROMOTER AND USES THEREOF

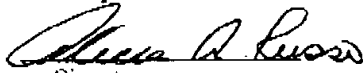
**RESPONSE TO RESTRICTION REQUIREMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents, Washington, D.C. 20231

October 22, 2001

Date of Deposit

Alicia A. Russo  
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Signature46,192  
PTO Registration No.October 22, 2001  
Date of Signature

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated June 28, 2001, please consider the following remarks. Applicants submit herewith a Petition to Extend Time for a period of three months, up to and including October 28, 2001. Applicants also submit herewith a Revocation and Power of Attorney for the above-identified application.

NY02:352548.1

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The Examiner has stated that the claims of the present application contain six inventions, which he has divided into the following groups:

Group I, claims 1-11, drawn to an isolated nucleic acid, classified in class 435, subclass 320.1;

Group II, claims 12-20, drawn to a method for determining whether a compound is an inducer of Mda-r gene expression in a cell, classified in class 435, subclass 4;

Group III, claim 21, drawn to an isolated polypeptide, classified in class 530, subclass 350;

Group IV, claims 22 and 23, drawn to an isolated antibody, classified in class 530, subclass 387.7;

Group V, claims 24-28, drawn to a method for treating cancer, classified in class 435, subclass 375; and

Group VI, claims 29 and 30, drawn to an assay to determine whether a compound modified enzymatic activity of an Mda-5 polypeptide, classified in class 435, subclass 4.

The Examiner has required that Applicants restrict the prosecution of this application to one of the foregoing groups of claims.

In response, Applicants elect to pursue the claims of Group I (claims 1-11) in this application, without traverse, and without prejudice to the prosecution of the subject matter of non-elected claims in other patent applications.

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FROM BAKERBOTS

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Please charge our Deposit Account No. 02-4377 if there is any additional fee required.  
Two copies of this sheet are enclosed.

Respectfully submitted,



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